



James M. Hivner, Clerk

100 Supreme Court Building

401 Seventh Avenue, North

Nashville, TN 37219-1407

615-253-1470

THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street Suite 600 Nashville, TN 37219

MEMBERS OF THE TENNESSEE BOARD OF JUDICIAL CONDUCT

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Andrew G. Brigham Vice Chair

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Judiciary Committee of the House Representative Michael Curcio 630 Cordell Hull Building Nashville, TN 37243

Dear Representative Curcio:

Please find enclosed the statistical report of the Board of Judicial Conduct covering filings and dispositions for the month of July, 2019, as mandated by Tenn. Code Ann. § 17-5-202.

If you have any questions or concerns, please contact me.

Dee Gay Board Chair

DDG/sp Enclosure

BOARD OF JUDICIAL CONDUCT MONTHLY REPORT FOR JULY 2019



The number and category of complaints OPENED¹:

<u>T</u>	HIS	
<u>MC</u>	NTH	YEAR-TO-DATE
A) Failure to comply with law:	15	15
B) Bias, prejudice and unfairness:	7	7
C) Discourtesy:	0	0
D) Abuse of office:	1	I
E) Delay:	1	1
F) Ex parte communications:	0	0
G) Disability:	0	0
H) Political violation:	1	1
I) Recusal:	0	0
J) Miscellaneous:	-0	<u>0</u>
TOTAL	25	25

The number and category of complaints CLOSED:

	THIS		
<u>N</u>	IONTH	YEAR-TO-	DATE
A) Failure to comply with law:	16	16	
B) Bias, prejudice and unfairness:	6	6	
C) Discourtesy:	0	0	
D) Abuse of office:	0	0	
E) Delay:	1	1	
F) Ex parte communications:	0	0	
G) Disability:	0	0	
H) Political violation:	0	0	
I) Recusal:	1	1	
J) Miscellaneous:	0	_0	
TOTAL	24	24	

^{1.} A single complaint naming several judges is counted as a separate complaint against each judge. A complaint whose allegations encompass more than one category is listed under the most serious category alleged. This category also contains six complaints there were at various stages of investigation by the previous Board of Judicial Conduct. The current Board of Judicial Conduct did not exist prior to July 1, 2019.

DISPOSITION of the complaints closed by CATEGORY:

<u>MONTH</u>	<u>YEAR-TODATE</u>
A) Failure to comply with law	
Dismissed, complaint about court ruling 15	15
Dismissed, no jurisdiction 0	0
Dismissed, inadequate factual basis 0	0
Dismissal with warning 0	0
Dismissal after full investigation 0	0
Deferred discipline agreement 0	0
Private reprimand 0	Ö
Private censure 0	0
Public reprimand 0	0
Public censure 0	0
Other 1	1
Retired complaint, no longer a judge 0	0
Suspension 0	0
Recommendation of removal from office 0	0
	_0
TOTAL 16	16
THIS MONTH B) Bias, prejudice and unfairness:	YEAR-TO-DATE
B) Bias, prejudice and unfairness:	
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4	4
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0	4 0
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2	4 0 2
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2 Dismissal with warning 0	4 0 2 0
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2 Dismissal with warning 0 Dismissal after full investigation 0	4 0 2 0
MONTH B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2 Dismissal with warning 0 Dismissal after full investigation 0 Deferred discipline agreement 0	4 0 2 0 0
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2 Dismissal with warning 0 Dismissal after full investigation 0 Deferred discipline agreement 0 Private reprimand 0	4 0 2 0 0 0
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2 Dismissal with warning 0 Dismissal after full investigation 0 Deferred discipline agreement 0 Private reprimand 0 Private censure 0	4 0 2 0 0 0 0
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2 Dismissal with warning 0 Dismissal after full investigation 0 Private reprimand 0 Private censure 0 Public reprimand 0	4 0 2 0 0 0 0 0
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2 Dismissal with warning 0 Dismissal after full investigation 0 Private reprimand 0 Private censure 0 Public reprimand 0 Public censure 0	4 0 2 0 0 0 0 0 0
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2 Dismissal with warning 0 Dismissal after full investigation 0 Private reprimand 0 Private censure 0 Public reprimand 0 Public censure 0 Other 0	4 0 2 0 0 0 0 0 0 0
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2 Dismissal with warning 0 Dismissal after full investigation 0 Private reprimand 0 Private censure 0 Public reprimand 0 Public censure 0 Retired complaint, no longer a judge 0	4 0 2 0 0 0 0 0 0 0 0
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2 Dismissal with warning 0 Dismissal after full investigation 0 Private reprimand 0 Private censure 0 Public reprimand 0 Public censure 0 Retired complaint, no longer a judge 0 Suspension 0	4 0 2 0 0 0 0 0 0 0 0
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling 4 Dismissed, no jurisdiction 0 Dismissed, inadequate factual basis 2 Dismissal with warning 0 Dismissal after full investigation 0 Private reprimand 0 Private censure 0 Public reprimand 0 Public censure 0 Retired complaint, no longer a judge 0	4 0 2 0 0 0 0 0 0 0 0

-	HIS ONTH	YEAR-TO DA <u>TE</u>
C) Discourtesy:		
Dismissed, complaint about court ruling	0	0
Dismissed, no jurisdiction		0
Dismissed, inadequate factual basis		0
Dismissal with warning	0	0
Dismissal after full investigation		0
Deferred discipline agreement		0
Private reprimand		0
Private censure	0	0
Public reprimand		0
Public censure		0
Other		0
Retired complaint, no longer a judge	0	0
Suspension	_	0
Recommendation of removal from office	0	0
TOTAL	0	0
	HIS ONTH	YEAR-TO-DATE
D) Abuse of office:	<u>NTH</u>	YEAR-TO-DATE
D) Abuse of office: Dismissed, complaint about court ruling	0 0	<u>YEAR-TO-DATE</u> 0
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction	0 0 0	_
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis	0 0 0 0	0
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning	0 0 0 0 0	0
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis	0 0 0 0 0	0 0 0
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement	0 0 0 0 0 0 0	0 0 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand	0 0 0 0 0 0 0 0	0 0 0 0
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand Private censure	0 0 0 0 0 0 0 0	0 0 0 0 0
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand Private censure Public reprimand	0 0 0 0 0 0 0 0 0	0 0 0 0 0 0
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand Private censure Public reprimand Public censure	0 0 0 0 0 0 0 0 0	0 0 0 0 0 0
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand Public reprimand Public censure Other	0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Private reprimand Private censure Public reprimand Public censure Retired complaint, no longer a judge	ONTH 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 0
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Private reprimand Private censure Public reprimand Public censure Other Retired complaint, no longer a judge Suspension	ONTH 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0
D) Abuse of office: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Private reprimand Private censure Public reprimand Public censure Retired complaint, no longer a judge	ONTH 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 0

]	<u>THIS</u> MONTH	YEAR-TO-DATE	<u>:</u>
E) Delay:			
Dismissed, complaint about court ruling-	0	0	
Dismissed, no jurisdiction	0	0	
Dismissed, inadequate factual basis		1	
Dismissal with warning	0	0	
Dismissal after full investigation	0	0	
Deferred discipline agreement	0	0	
Private reprimand	0	0	
Private censure	0	0	
Public reprimand	0	0	
Public censure	0	0	
Other		0	
Retired complaint, no longer a judge	0	0	
Suspension		0	
Recommendation of removal from office	e <u>0</u>	<u>. 0</u>	
TOTAL	1	1	
F) Ex parte communications:	<u>THIS</u> <u>MONTH</u>	YEAR-TO-DAT	<u>E</u>
F) Ex parte communications: Dismissed, complaint about court ruling	MONTH	<u>YEAR-TO-DAT</u>	<u>E</u>
Dismissed, complaint about court ruling	<u>MONTH</u> 0		<u>E</u>
Dismissed, complaint about court ruling Dismissed, no jurisdiction	<u>MONTH</u> 0 0	0	<u>E</u>
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH 0 0	0	<u>E</u>
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH 0 0 0	0 0 0	<u>E</u>
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH 0 0 0 0	0 0 0	<u>E</u>
Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning	MONTH 0 0 0 0 0	0 0 0 0	E
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH 0 0 0 0 0 0	0 0 0 0 0	E
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH 0 0 0 0 0 0	0 0 0 0 0	<u>E</u>
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH 0 0 0 0 0 0 0 0	0 0 0 0 0 0	E
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0	<u>E</u>
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0	<u>E</u>
Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Private reprimand Private censure Public reprimand Public censure Other Retired complaint, no longer a judge Suspension	MONTH 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0	<u>E</u>
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH 0 0 0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0 0	E

G) Disability:	<u>THIS</u> MONTH	YEAR-TO-DATE
•	0	0
Dismissed, complaint about court ruling		
Dismissed, no jurisdiction		0
Dismissed, inadequate factual basis		0
Dismissal with warning	0	0
Dismissal after full investigation	0	0
Deferred discipline agreement	0	0
Private reprimand	0	0
Private censure		0
Public reprimand	0	0
Public censure		0
Other		0
Retired complaint, no longer a judge	=	0
Suspension	0	0
Recommendation of removal from office		_0
TOTAL	<u> </u>	$\frac{3}{0}$
101112	THIS	v
N	MONTH	YEAR-TO-DATE
H) Political violation:	MONTH	TLAK-10-DATE
Dismissed, complaint about court ruling	0	0
Dismissed, no jurisdiction	0	0
Dismissed, inadequate factual basis		0
Dismissal with warning		0
Dismissal after full investigation		0
Distillustration tall invostigation	•	0

Deferred discipline agreement ---- 0

Private reprimand ----- 0

Private censure ----- 0

Public reprimand ----- 0

Public censure ----- 0

0

0

0

0

0

0

•	<u>THIS</u> ONTH	YEAR-TO-DATE
I) Recusal:		
Dismissed, complaint about court ruling	- 1	1
Dismissed, no jurisdiction	- 0	0
Dismissed, inadequate factual basis	- 0	0
Dismissal with warning		0
Dismissal after full investigation	. 0	0
Deferred discipline agreement		0
Private reprimand		0
Private censure		0
Public reprimand		0
Public censure		0
Other	=	0
Retired complaint, no longer a judge	- 0	0
Suspension	- 0	0
Recommendation of removal from office	· <u> </u>	_0
TOTAL	1	1
<u>-</u>	<u>rhis</u>	
_	<u>rhis</u> Onth	YEAR-TO-DATE
_		YEAR-TO-DATE
<u>M</u>	<u>ONTH</u>	YEAR-TO-DATE
J) Miscellaneous:	<u>ONTH</u> · 0	_
J) Miscellaneous: Dismissed, complaint about court ruling	ONTH - 0 - 0	0
J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction	ONTH - 0 - 0 - 0	0 0
J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis	ONTH - 0 - 0 - 0 - 0 - 0	0 0 0
J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning	ONTH - 0 - 0 - 0 - 0 - 0 - 0	0 0 0 0
J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0	0 0 0 0
J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0	0 0 0 0 0
J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Private reprimand Private censure	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 -	0 0 0 0 0
J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 -	0 0 0 0 0 0
J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Private reprimand Private censure	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 -	0 0 0 0 0 0 0
J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Private reprimand Private censure Public reprimand Other	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 -	0 0 0 0 0 0 0 0
J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand Private censure Public reprimand	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 -	0 0 0 0 0 0 0 0
J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Private reprimand Private censure	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 -	0 0 0 0 0 0 0 0 0